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# Choice within constraint: An explanation of crime at the intersections

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## Abstract
Intersectionalities have become central to theory and research on sex, gender and crime. Viewing crime through an intersectionalities lens allows us to move beyond deterministic views of the relationship between social structures and offending by emphasizing that structures of gender, race, ethnicity, class, and sexuality weave together to create a complex tapestry of opportunities and motivations that shape variation in crime and violence across groups and situations. In this essay, we propose a "choice within constraint" framework that focuses on how multiple, interlocking inequalities come together to shape micro-level interactions while also allowing room for agency in how people choose to respond to social and structural opportunities and constraints. More specifically, we cull insights from qualitative studies to build a framework emphasizing how individuals' active engagement with intersecting cultural meanings of gender (masculinities and femininities) explain variability in decisions to offend across and within hierarchies of sex, race, ethnicity, class, sexuality, and age.

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## Introduction

Intersectionalities have become central to theory and research on sex, gender, and crime. Viewing crime through the theoretical lens of intersectionalities allows us to move beyond the traditional and deterministic view of the relationship between social structures and behavior by emphasizing that the effects of structural inequalities are interactive and multiplicative, rather than simply additive (e.g. Baca Zinn and Dill, 1994). Moreover, intersectionalities perspectives center on the social construction of experiences within the context of inequalities associated with race, class, place, gender, age, and sexual orientation (e.g. Collins, 2005). Although not always explicit, at the core of intersectionalities perspectives is a view of people as active agents. As we have argued elsewhere, this means that understanding gender and crime requires considering micro-level social interactions through which individuals creatively respond to the life experiences associated with the interleaving of racialized, classed, and gendered inequalities (De Coster and Heimer, 2006).

In this essay, we advocate a "choice within constraint" framework that goes beyond our previous work to discuss more fully how multiple, interlocking inequalities come together to shape micro-level interactions yet also allow room for agency in how people choose to respond to social and structural opportunities and constraints. More specifically, we cull insights from qualitative studies to build a framework emphasizing how individuals' active engagement with intersecting cultural meanings of gender (masculinities and femininities) explain variability in decisions to offend across and within hierarchies of sex, race, place, ethnicity, class, sexuality, and age.

## Structured culture and offending: Situational choices and agency

Intersectionality theorists have cautioned that the cultural meanings ascribed to gender are informed by some of the very structural features—race, poverty, and place—that influence offending (Daly, 1997; Messerschmidt, 1993, 1997). As such, it is important to consider how gender intersects with race, poverty, and place in shaping offending decisions. Intersectionalities perspectives emphasize that the cultural meanings associated with masculinities and femininities vary across structural positions and are germane for understanding crime by individuals at various junctures in hierarchies of race, ethnicity, class, place, sexuality, and gender. This is because the cultural meanings assigned to masculinities and femininities fundamentally shape the content of the motivations and identities that prove relevant for crime and violence (De Coster and Heimer, 2006; Heimer, 1996; Heimer and De Coster, 1999).

Situational studies in criminology have a long history of linking the criminal and violent behaviors of males to focal concerns emphasizing autonomy, independence, status, and strength (Miller, 1958). In recent decades, researchers have begun to consider these focal concerns as core features of hegemonic masculinity (Messerschmidt, 1993, 1997; Miller and Mullins, 2005). This approach draws insights from feminist studies, positing that patriarchy is a powerful system of social control that influences the identities and behaviors of males and females by symbolically constructing definitions of the sexes as

inherently different and unequal (Bem, 1993; Connell, 1990; Lorber, 1994; Schippers, 2007). Under patriarchy, hegemonic masculinity is equated with competitiveness, independence, rationality, and strength; by contrast, hegemonic femininity is associated with dependency, passivity, purity, and weakness (Connell, 1990; Heimer and De Coster, 1999; Messerschmidt, 1993; Schippers, 2007). When individuals construct identities rooted in these symbolic definitions of masculinity and femininity, they are motivated to act in accordance with them. That is, individuals use the resources available to them to "do gender" in daily interactions (West and Fenstermaker, 1995; West and Zimmerman, 1987).

The resources available for accomplishing gender are not equally distributed across various hierarchies of power, resulting in distinctions across race, class, sexuality, and place in how gender is actively defined and performed (Collins, 2005; Connell, 1987, 2000; Messerschmidt, 1993, 2012). For instance, the hegemonic masculine ideal is restricted largely to heterosexual White middle-class males who have access to the legitimate strategies and resources needed to achieve it, including middle-class socialization, middle-class male role models, masculine bodies, and access to middle-class institutions. This masculinity is characterized specifically by competition through expertise, whiteness, professional labor, accomplishment, heterosexuality, a capacity for violence, and dominance over others (Connell, 1987, 2000). Although this masculinity is not conducive to street crimes and violence, Messerschmidt (1997) articulates how it can lead to corporate crimes by powerful, White middle-class males in their attempts to earn and protect dominant masculine reputations (see also Klenowski et al., 2011).

Impoverished Black males residing in distressed inner city neighborhoods do not have access to White middle-class strategies and resources for performing hegemonic masculinity (hooks, 1981; Sampson and Wilson, 1995) and thereby negotiate a masculinity that is not intricately linked to professional expertise and labor (Anderson, 1999; Rios, 2011). Their marginalized masculinity is characterized by competition through physical fights, heterosexuality, responsibility for oneself, and the use of violence (Anderson, 1999; Connell, 2000; Messerschmidt, 1993; Rios, 2011). Anderson's (1999: 92) ethnography of inner city Philadelphia demonstrates that achieving masculinity in circumstances where race and place limit legitimate opportunities and access to male role models is inextricably bound to claiming reputation and often demands, "throwing the first punch, getting in someone's face or pulling the trigger". Actual and perceived threats to reputation and masculinity include various forms of disrespect—such as being robbed, stared at, shoved, shown attitude, or physically challenged—that must be met with violence in order to preserve reputations and deter future affronts. The primary motivations for violence among these young men, therefore, include reputation, respect, and retaliation (see also Jacobs and Wright, 2006; Katz, 1988; Mullins et al., 2004; Wilkinson, 2001).

Consistent with this, Mullins and his colleagues (2004) report that marginalized Black men living in high-crime areas sometimes respond to relatively trivial slights with extreme violence because they perceive such slights to be challenges to their masculine reputations. The primarily Black, bisexual, and gay men in Panfil's (2014, 2015) research articulate the need to use violence in the face of assaults on their masculinity and sexual orientation in order to garner the masculine respect required to curtail future harassment of both themselves and other gay/bisexual/transgender (GBT) men. Likewise, Irwin and

Adler (2012) emphasize that threats to heterosexuality—being called a "pansy" or "queer"—are met with violence among Hawaiian and Samoan boys residing in marginalized communities where they proudly assert heterosexual promiscuity. Totten's (2000, 2012) research on GBT males in heterosexual dominated gangs indicates that GBT gang members sometimes engage in public violence against other GBT males to prove their toughness and fend off looming threats to their masculinity. Of course, marginalized heterosexual males also sometimes use public violence against GBT males to prove and police normative heterosexuality (Kelley and Gruenewald, 2015; Perry, 2001). This helps make sense of the emphasis gang-involved GBT males place on representing other GBT males as willing and able to use violence while violently claiming their own masculine identities (Panfil, 2014).

Violence in the above situations serves both as a response to reputational threats and as a direct enactment of masculinity. The narratives of disadvantaged minority males in Wilkinson's (2001) study also emphasize that participation in gun events are public performances that help build street reputations. Similarly, Katz (1988) notes that street robberies are a form of masculinity accomplishment for disadvantaged Black males because robberies provide an opportunity to demonstrate dominance over victims. Of course, not all instances of disrespect in the inner city landscape result in retribution. Decisions to avoid retaliation are justified by young men using various techniques of neutralization, including that they are showing mercy to someone related to the challenger or that the challenger is simply not worth it (Topalli, 2005). In this way, failure to retaliate does not necessarily threaten masculinity. It is noteworthy, however, that decisions to eschew retaliation must be explained, as young men are held accountable to a culture that generally requires vengeance as they continually negotiate, perform, and protect their masculine reputations.

These studies underscore how young men who are marginalized by virtue of race, ethnicity, poverty, and sexuality play an active role in constructing and pursuing masculine reputations in the face of immediate and looming threats. Because their masculinity is relative and hierarchical, the young men regularly must defend it against challenges from one another (Kimmel, 1994). Some of the forms these defenses take include retaliatory violence, reputational performances, violence against males who are not sufficiently masculine, and the offering of justifications for decisions to eschew violence.

On the surface, discussions of how respect, retaliation, and reputation order street life appear to have little to offer by way of understanding female crime and violence, particularly since the meanings of reputation and the types of retaliatory actions required to avenge disrespect and reputation challenges are intricately tied to marginalized masculinity. However, recent research documents that disrespect, retaliation, and reputation are driving motivations behind violence among women and girls, particularly so for minorities and those on the margins of society (Griffiths et al., 2011; Jacobs and Wright, 2006; Jones, 2010; Kruttschnitt and Carbone-Lopez, 2006; Miller, 2001; Miller and Mullins, 2005; Mullins et al., 2004; Wilkinson and Carr, 2008). These studies further reveal that cultural meanings of gender shape these motivations and the enactment of violence among females, just as they shape motivations and violence among males.

While engaging in violence allows young disadvantaged men to abide by the "code of the street"—the informal rules prescribing and proscribing the use of violence in inner

city communities—and at the same time enact gender, this is not the case for women (Anderson, 1999). When violence is considered a masculine accomplishment, therefore, it seems that a gendered framework is more useful for understanding the relative lack of involvement in violence among women than it is for clarifying their involvement in such behaviors (see Miller's 2001, 2002 critique). However, an intersectionalities framework that takes into consideration multiple femininities and the various ways—including resistance and accommodation—that young women relate to structurally patterned femininities in various situations indeed can inform our understanding of female violence (De Coster and Heimer, 2006).

Black feminist scholars have long maintained that the hegemonic femininity of White middle-class women is one that has never been part of the Black experience (Collins, 1990, 2005; Giddings, 1984). That is, Black women historically have had to be economically self-sufficient and independent and thereby have lacked the necessary resources and strategies for constructing or enacting a femininity rooted in passivity, dependence, and submissiveness. In addition, some researchers note that Black women have little to gain by giving up their voices and embracing an identity as passive or dependent. Simpson (1991: 127) notes, for instance, that White middle-class girls and women may actively "join the oppressor" by constructing a femininity that complements hegemonic masculinity because it affords them power and status relative to subordinated (e.g. non-White and homosexual) women. Consistent with this, images of the Black lady in the middle-class embrace some aspects of White middle-class femininity—purity and non-aggressiveness—while eschewing others—dependency, passivity, and weakness (Collins, 2005). Thus, race shapes the way in which femininity is defined, enacted, and achieved.

Situational studies of street crime and violence in marginalized communities demonstrate that class, place, and sexuality further complicate the process of claiming gender for minority women. These studies suggest that young women face a "gendered dilemma" in their concurrent attempts to navigate the code of the street and achieve respected feminine reputations that renounce overt sexuality and physical aggression while embracing self-reliance and independence (Jones, 2010). Despite the fact that definitions of femininity—even the marginalized femininities of the most distressed communities—do not embrace the use of physical violence, women and girls in marginalized areas often use violence instrumentally to protect themselves, their reputations, and their friends and family (Irwin and Adler, 2012; Jones, 2010; Laidler and Hunt, 2001; Miller, 2001). That is, young women frequently use violence as retaliation against those who threaten their well-being and reputations; unlike men, however, they do not affirm gendered identities in doing so (Jones, 2010; Mullins et al., 2004). Instead, they remain accountable to standards of femininity that renounce violence.

This marked distinction importantly informs female retaliatory violence. For instance, Mullins and his colleagues (2004) report that female retaliation is less likely than male retaliation to be dispensed with guns and is more likely to enlist the help of friends and family (see also Jones, 2010; Miller, 1998, 2001). Indeed, ethnographies of inner city Philadelphia reveal that mothers and daughters sometimes fight side by side in a way that fathers and sons simply do not, partially because of the relative lack of father presence in inner city communities but also because male retaliation is more likely to be meted out

individually and fatally (Jones, 2010; Ness, 2010). Consistent with the group nature of female retaliation, one of the strategies for avoiding violence by "good girls" in Jones' (2010) study includes isolating oneself from close friendships that might require violence from girls in their attempts to protect or stand up for friends. That is, "good girls" avoid violence by forgoing "loyalty links" that may require them to violently stand up for or protect the reputations of their friends as respectable (Ness, 2010).

In addition to isolating themselves from meaningful relationships, "good girls" typically avoid public spaces. These are active and incessant efforts they use to avoid fighting and thereby achieve and maintain their "good girl" reputations. Despite these efforts, "good girls" are required to use violence against other females at times to protect themselves and avoid being defined as easy targets for "fighter girls" who may have something to prove in the future (Jones, 2010). In doing so, they do not necessarily risk their feminine or "good girl" reputations because people in their environment—including mothers and grandmothers—remain acutely aware that even "good girls" must fight sometimes (Jones, 2010). Achieving a "fighter girl" reputation also requires much effort—efforts that often parallel those of males attempting to achieve a masculine reputation, such as consistently displaying their willingness and ability to fight. These girls view the violence-avoiding strategies used by "good girls" as overly constraining (see also Cobbina et al., 2008; Miller, 2001); and thereby eventually embrace their status as "outsiders" with respect to their gender (see also Jones, 2010; Messerschmidt, 1997, 2012). That is, they are not claiming gender per se when they fight but are claiming reputations as girls with whom one should not trifle.

Consistent with this, Messerschmidt (2012: 93) notes that the "badass" girl in his study "aimed at constructing a don't-mess-with-me demeanor […] yet had no intention to 'pass' completely as male". Similarly, one of the gang girls in Miller's (2001: 180) study described herself as "just like the dudes", but went on to note that, "they [the dudes] respect us as females". A significant message in this young woman's statement is that she continues to value a sense of respect as a female. Importantly, respect as a female is accrued not only through demonstrating one's ability to take care of oneself and abide by the code but also through being "respectable"—that is, being discreet and monogamous in sexual relations (Laidler and Hunt, 2001; Miller, 2001). Indeed, Messerschmidt's (2012) "badass girl" was quick to differentiate herself from the "slutty badass girls". The girls in Laidler and Hunt's (2001: 664) study talked about "respect having to do with the way she presents herself […] She isn't a ho [whore]."

Several studies reveal that women and girls in street environments police the sexual behaviors of other females and engage in violence to protect their own reputations and the reputations of the females in their inner-circles as respectable (Daly, 2008; Laidler and Hunt, 1997; Miller, 2001, 2008). As such, violence is sometimes used by even the most aggressive girls—"fighter girls", "bad girls", "bad asses", "one of the guys"—as a means to protect aspects of normative femininity (Jones, 2010; Laidler and Hunt, 1997; Messerschmidt, 2004; Miller, 2001). This suggests that females actively engage in a situational process of accommodation, resistance, and piecing together of hegemonic and local femininities in a way that is sometimes conducive to violence but that never fully conjoins the use of violence with achieving valued feminine reputations. That is, acts of violence do not "make the woman" in the same way they "make the man".

Nonetheless, some females invoke violence situationally to "make other women". In addition to protecting aspects of femininity through the use of violence against challengers, the Native Hawaiian and Samoan girls in Irwin and Adler's (2012) study discuss physically punishing females who deviate from hegemonic femininity by being too loud or too promiscuous as well as females who conform too strongly to hegemonic femininity—disregarding local, resilient femininities—by being too quiet or too easily played by boys. The Black lesbian girls in Johnson's (2007, 2014) study report being harassed by classmates who were policing their gender and sexual identities. These girls retaliated against the policing of their intersecting identities by sexually harassing other girls in their urban school setting. In doing so, they inadvertently reinforced stereotypes of lesbian sexuality (Johnson, 2015). The paradox of simultaneously resisting and reinforcing identities rooted in structural inequalities is revealed in a variety of studies. For instance, girls who join gangs and use violence to resist certain aspects of hegemonic femininity and oppressive patriarchal structures report engaging in violently policing femininity among other girls, ultimately reinforcing that which they resist (Irwin and Adler, 2012; Miller, 2001).

Overall, empirical studies reveal that cultural meanings ascribed to gender importantly constrain and enable individual behavior, including violence and crime. Understanding inter- and intra-sex variability in crime and violence requires consideration of the fact that individuals actively redefine, reinforce, resist, accommodate, and piece together hegemonic and local masculinities and femininities in everyday interactions. In this way, individuals are not altogether unconstrained in their attempts to achieve or "do gender". Instead, their agency is mitigated by local contexts and their position in structural hierarchies of race, ethnicity, sexuality, and class that prove relevant for understanding how individuals and groups actively "do gender" and thereby "do crime and violence" in various situations.

## Conclusions

Contemporary intersectionality research in criminology demonstrates that there are both similarities and differences in how structural factors and culture shape offending, at the individual and group levels. This body of research has made great strides in revealing that structures and cultures of gender, race, ethnicity, class, and sexuality weave together to create a complex tapestry of opportunities and motivations that shape variation in crime and violence across groups and situations. Our interpretation of the literature leads us to propose a "choice within constraint" framework that emphasizes that everyone, regardless of gender, actively navigates social environments and access to resources to creatively construct pathways that are more or less likely to involve crime and violence. That is, regardless of gender, people sometimes *choose* crime to meet reputational, identity, and practical needs in situations where choices are limited by intersecting inequalities of opportunities and constraints. We claim it is essential to focus on how people choose and create lines of action as they navigate the constraints they face in life. By focusing on choice within multiple intersecting constraints, our perspective reveals the complexities in people's decisions about whether to engage in crime and violence, how to enact these behaviors, and who to target, as well as how cultural meanings, identities and reputations can be affirmed or renounced through crime and violence.

The choice within the constraint perspective can frame future research aimed at further disentangling the impacts of various intersecting opportunities and constraints. Situational studies of crime are key for helping us to better understand how gendered meanings shape the motivations for and the commission of crime and violence. In particular, these studies offer valuable insights about the experiences of crime among extremely disadvantaged minority groups and suggest how those experiences are gendered. Yet, because they most often (by necessity), focus on the experiences of a particular gender-race-ethnic-class-sexuality group, we cannot know for certain how these experiences compare precisely to those of other groups with different structural and cultural experiences. For example, we do not have a clear picture of how the experiences of poor Black women in distressed communities are similar and different from the experiences of poor White women who reside in these same communities; the latter group shares some similar constraints rooted in poverty and place but possesses privileges rooted in Whiteness. Clearly, Black women are more likely to reside in distressed communities and predominately Black communities are much more distressed than even the most distressed predominately White communities (see Peterson and Krivo, 2012; Sampson, 2012). Nevertheless, it is imperative that research push forward to better understand the simultaneous experiences of gender, race, ethnicity, class, and sexuality. This will allow us to locate and compare individuals and groups that are similar in most respects, yet vary on one, two or more of the structural dimensions of interlocking inequalities.

Perhaps one of the most difficult aspects of developing studies of choice and agency within interleaving structural and cultural experiences is disentangling the extent to which social processes and social actions are influenced primarily by race, poverty, place, sexuality or the confluence of these sources of structural inequality. The challenge lies in the (in)ability to empirically examine variability within and across these dimensions of inequality. Due to practical limitations, ethnographic and qualitative research seldom is able to include comparisons across race, class, place, and gender groups in a single study (cf. Maher, 1997). Attempts to use quantitative analyses of survey data to explore the ways in which race, ethnicity, class, place, and sexuality structure crime and violence have been constrained in addressing many of the core issues raised in qualitative research because they have relied on existing data that were not collected for the purpose of studying either race, gender, or sexuality in depth (e.g. Conover-Williams, 2014; Heimer, 1995; Simpson and Elis, 1995; Simpson and Gibbs, 2005; Zimmerman and Messner, 2010).

A mixed-methods approach may prove to be most fruitful in further efforts to explicate the ways in which interlocking structures of gender, race, ethnicity, class, and sexuality shape the opportunity–constraint nexus such that offending behaviors emerge as valued or necessary means by which individuals create and preserve identities, reputations, and self. Quantitative methods may be particularly useful for uncovering structural-level patterns (across various race, class, sexuality groups) in crime and identities that can be explored more completely through the use of in-depth, qualitative interviews that delve into situational contexts and motivational nuances that shape choices within constraints at the intersections of multiple structural inequalities. The use of mixed methods in studies of offending has become increasingly common, most often by supplementing surveys with in-depth interviews or by content-coding self-narratives (see Maruna,

2010). A particularly promising approach moving forward in assessing the complex interplay between interlocking structures of inequality, identities, reputations, and offending is to move beyond the narrative discussion of ethnographic studies offered herein to a more systematic approach of treating ethnographic studies as cases to be analyzed through content coding. Hodson et al. (2011) provide a road map for such an approach, emphasizing how to maintain the integrity of qualitative studies while putting them together for systematic, comparative analyses of core issues.

In closing, we argue that adopting a perspective that focuses explicitly on the processes of choice within structural and cultural constraints is a valuable tool for better understanding crime at the intersections. The findings from the accumulating body of research on intersectionalities suggests that choice within constraint not only fits well with existing knowledge, but can offer a template for future work.

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## Author biographies

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